

## EXHIBIT "A"

## LENDERS

	NAME	Amount
1	Drs. Stanley Alexander and Florence Alexander husband and wife as joint tenants with the rights of survivorship	\$200,000
2	Pensco Trust Company Inc. Custodian for Robert S. Angel IRA	\$25,000
3	Rod Arbogast & Donna Arbogast Trustees of the Arbogast Family Trust	\$250,000
4	Kenneth R. Becker & Joanne T. Becker husband & wife Grace Becker & Sarah Becker their minor children with right of survivorship	\$50,000
5	First Savings Bank Custodian for Paula S. Bender IRA	\$98,000
6	Paul Bloch Trustee of the Paul Bloch Living Trust UA 10/29/02	\$150,000
7	First Savings Bank Custodian for Paul Bloch IRA	\$150,000
8	John Borkoski & Kathleen Borkoski husband & wife as joint tenants with rights of survivorship	\$60,000
9	Ashley Brooks a single woman	\$75,000
10	Donna J. Brooks a single woman	\$25,000
11	First Savings Bank Custodian For John W. Brouwers MD SEP IRA	\$50,000
12	John P. Brouwers Trustee of the Brouwers Family Trust dated 1/11/1995	\$50,000
13	Bruce D. Bryen an unmarried man transfer on death to Erica Bryen an unmarried woman	\$25,000
14	PLB Enterprises LLC	\$25,000
15	Donna M. Cangelosi Trustee of the Donna M. Cangelosi Family Trust	\$50,000
16	Margaret M. Cangelosi an unmarried woman	\$50,000
17	Ronald R. Carter & Leslie A. Carter Trustees of the Ronald R. Carter & Leslie A. Carter Revocable Trust dated 10/24/91	\$50,000
18	Ronald M. Cetovick and Barbara Cetovick husband and wife as joint tenants with the rights of survivorship	\$60,000
19	Pat M. Chiappetta & Joann Chiappetta Trustees of The Chiappetta Trust dated 4/1/03	\$30,000
20	Terry Coffing a married man dealing with his sole and separate property	\$50,000
21	Penny Lee Comsia Trustee of the Penny Lee Comsia Revocable Trust UDT 4/10/00	\$50,000
22	Sam Costanza Trustee of The Costanza 1987 Decedent's Trust	\$50,000
23	Deborah A. Daniel A single woman	\$50,000
24	Frank Davenport a single man	\$100,000
25	Panagiotis Dovanidis a single man & Dimitra Dovanidou a married woman dealing with her sole & separate property as joint tenants with right of survivorship	\$50,000
26	Mark L. Eames & Sandy K. Eames husband & wife as joint tenants with right of survivorship	\$50,000
27	Aurora Investments Limited Partnership	\$1,000,000

28	John R. Emery & Sandra Kipp Emery Trustees of the Emery Living Trust dated 6/04/91	\$50,000
29	Samuel Evans & Beverly Evans Trustees of the Samuel & Beverly Evans Living Trust	\$125,000
30	Denise F. Fager Trustee of the Denise F. Fager Revocable Trust under agreement dated 2/28/03	\$50,000
31	Patrick F. Fenlon and Angela B. Fenlon husband and wife as joint tenants with the rights of survivorship	\$100,000
32	Maurice Fink Trustee of the Maurice Fink Trust	\$300,000
33	Dennis Flier Trustee of the Dennis Flier Inc. Defined Benefit Trust dated 6/29/87	\$50,000
34	Dennis Flier & Carol Flier Trustees of the Flier Family Trust dated 1/21/98	\$50,000
35	Bruce Francis and Tamara Francis Trustees of the Francis Family Trust Dtd 11/10/98	\$50,000
36	John R. Frederickson and Michele L. Frederickson Trustees of the Frederickson Trust dated 10/02/03	\$35,000
37	Glenn W. Gaboury and Sharon M. Gaboury husband and wife as joint tenants with the rights of survivorship	\$100,000
38	Sylvia Goldenthal & Jack Goldenthal husband & wife as joint tenants with right of survivorship	\$100,000
39	Gonska Foundation LLC a Nevada limited liability company	\$50,000
40	Patrick Gonzales and Rosemary Gonzales husband and wife as joint tenants with the rights of survivorship	\$100,000
41	William Harrison Goulding and Elizabeth R. Goulding husband & wife as joint tenants with right of survivorship	\$100,000
42	Stacy Grant Trustee of The Stacy Grant Revocable Trust	\$100,000
43	Gail A. Gray and Robert W. Gray Trustees of the Robert W. & Gail A. Gray Revocable Trust	\$40,000
44	Toby Gunning an unmarried man	\$45,000
45	Larry E. Hanan Trustee of the Larry E. Hanan Revocable Trust dated 5/20/02	\$50,000
46	MLH Family Investment Limited a Texas company	\$150,000
47	Lynn J. Hansen Trustee of the Reynold E. Palesh Trust dated 6/17/01	\$50,000
48	Gayle Harkins a married woman dealing with her sole & separate property	\$25,000
49	Jennifer J. Harmon a single woman and Cheryl Hoff a married woman dealing with her sole and separate property as joint tenants with the rights of survivorship	\$25,000
50	James F. Heaton and Nadine B. Heaton Trustees of The Heaton Family Trust Dated December 4 1995	\$100,000
51	Virgil P. Hennen & Judith J. Hennen husband and wife as joint tenants with the right of survivorship	\$50,000
52	Richard Holeyfield and Marsha Holeyfield Trustees of the Holeyfield Family Trust dated 01/12/01	\$25,000

53	Delwin C. Holt an unmarried man	\$50,000
54	Edward W. Homfeld an unmarried man	\$400,000
55	Kathy John an unmarried woman & Tina Eden as unmarried woman as joint tenants with right of survivorship	\$25,000
56	John W. Keith & Kathleen B. Keith Trustees of the John & Kathleen Keith Living Trust dated 8/19/02	\$50,000
57	Carol A. Kelly a single woman	\$50,000
58	Freedom Properties Inc.	\$50,000
59	Gail Klevay a married woman dealing with her sole & separate property	\$30,000
60	First Savings Bank Custodian for Stephen V. Kowalski IRA	\$30,000
61	David Kravitz & Mable R. Kravitz Trustees of the Kravitz Family Revocable Trust under agreement dated 12/9/99	\$50,000
62	Chris F. Lapacik and Rosemary D. Lapacik husband and wife as joint tenants with the rights of survivorship	\$200,000
63	Sidney L. Larson & Ruth Ann Larson Trustees of the Larson Family Trust dated 6/19/94	\$50,000
64	Hans J. Leer & Carolyn F. Leer as joint tenants with right of survivorship	\$30,000
65	Henry L. Letzerich and Norma W. Letzerich husband and wife as joint tenants with the rights of survivorship	\$50,000
66	Daniel B. Lisek Claire Lisek & Gayle Harkins Trustees of the Lisek Family Trust dated 1/29/92	\$75,000
67	Nicholas Loader Trustee of the Nicholas Loader Trust U/A	\$50,000
68	Ben Lofgren & Dana Lofgren Husband and wife as joint tenants with right of survivorship	\$50,000
69	Scott Machock & Heidi Machock Husband and wife as joint tenants with right of survivorship	\$70,000
70	Samuel A. Mammano and Karen M. Mammano husband and wife as joint tenants with the rights of survivorship	\$50,000
71	Melissa Mamula a single woman	\$25,000
72	Lily Markham a married woman dealing with her sole & separate property & Irene Anne Markham-Tafoya a married woman dealing with her sole & separate property	\$25,000
73	Barbara McClafin Trustee of the Revocable Living Trust Agreement of Barbara Fay McClafin	\$25,000
74	Don D. Meyer an unmarried man & Dennis E. Hein an unmarried man as joint tenants with right of survivorship	\$25,000
75	Douglas Minter & Elizabeth F. Minter Trustees of the Minter Family 1994 Trust	\$25,000
76	W. L. Montgomery Jr. Guaranty Loan Account	\$250,000
77	KM Financials LLC. a Utah corporation	\$50,000
78	Marvin Myers & Valliera Myers Trustees of the Marvin & Valliera Myers Trust	\$35,000
79	D & K Partners Inc. a Nevada corporation	\$200,000

80	Howard Nehdar Custodian for Kyle Nehdar UGMA	\$50,000
81	Gloria J. Nelson a married woman dealing with her sole & separate property	\$50,000
82	John Nix & Lisa Nix husband & wife as joint tenants with right of survivorship	\$100,000
83	James W. Pengilly and Amanda M. Pengilly husband and wife as joint tenants with right of survivorship	\$50,000
84	Robert H. Perlman & Lynn R. Perlman Trustees of the Robert H. Perlman & Lynn R. Perlman Trust dated 9/17/92	\$50,000
85	Petuck Capital Corporation a Nevada Corporation	\$50,000
86	Holly J. Pickerel a single woman	\$75,000
87	Patricia A. Pontak and Darrell M. Wong Trustees of the Pontak Wong Revocable Trust dated Jan 19 2004	\$100,000
88	Sheldon Portman & Marion G. Portman Trustees of the Sheldon & Marion G. Portman Trust dated 11/01/85	\$100,000
89	Hans J. Prakelt an unmarried man	\$50,000
90	James P. Randisi and Mary M. Randisi husband and wife as joint tenants with the rights of survivorship	\$25,000
91	First Savings Bank Custodian For Noel E. Rees IRA	\$30,000
92	Michael H. Ricci a married man dealing with his sole & separate property	\$50,000
93	Rulon D. Robison Trustee of the Rulon D. Robison Profit Sharing Plan	\$50,000
94	Robert R. Rodriguez an unmarried man	\$50,000
95	Rodney L. Roloff & Sharyn A. Roloff Trustees of the R & S Roloff Trust dated 9/20/03	\$50,000
96	Robert F. Samuels & Linda M. Samuels husband & wife as joint tenants with right of survivorship	\$25,000
97	William J. Sandberg & Shang'Ling J. Tsai husband and wife as joint tenants with the right of survivorship	\$50,000
98	Robert B. Sandler & Patricia D. Sandler Trustees of the Sandler Living Trust dated August 29 2005	\$25,000
99	William E. Schnadt & Janet E. Schnadt Trustees of the Schnadt Trust dated 6/18/93	\$25,000
100	Arthur P. Schnitzer & Lynn S. Schnitzer Trustees of the Schnitzer Living Trust dated 10/29/91	\$100,000
101	Edward L. Schoonover & Susan A. Schoonover Co-Trustees of The Schoonover Family Trust dated 2/23/04	\$25,000
102	Ira Jay Shapiro an unmarried man & Blanche Shapiro an unmarried woman as joint tenants with the right of survivorship	\$25,000
103	Billy Shope Jr. Family LP a Nevada limited partnership	\$100,000
104	Carol J. Simcock a single woman	\$50,000
105	First Savings Bank Custodian For Carol J. Simcock IRA	\$70,000
106	Michael S. Simcock & Dina M. Simcock husband & wife as joint tenants with right of survivorship	\$50,000
107	Alan R. Simmons & Judith B. Simmons husband & wife as joint tenants with right of survivorship	\$25,000

108	Joyce E. Smith Trustee of the Joyce E. Smith Trust dated 11/3/99	\$50,000
109	Bruce A. Smith & Annina M. Smith husband & wife as joint tenants with right of survivorship	\$100,000
110	Rocklin/Redding LLC	\$270,000
111	Kerry S. Taylor & Joyce L. Taylor Trustees of the Taylor Living Trust dated 2/27/98	\$50,000
112	Alneil Associates Neil Tobias General Partner	\$200,000
113	Neil Tobias a married man	\$50,000
114	Anton Trapman an unmarried man	\$25,000
115	John M. Tripp Trustee of the Tripp Family Trust 1997	\$35,000
116	Robert W. Ulm Trustee of the Robert W. Ulm Living Trust dated 4/11/05	\$25,000
117	Nevada Trust Company Custodian for Cal-Mark Beverage Company Defined Benefit Plan	\$50,000
118	Lloyd F. Van Sickle Trustee of The Van Sickle Family Trust dated 5/20/99	\$200,000
119	Roy R. Ventura Jr. & Nancy B. Ventura husband & wife as joint tenants with right of survivorship	\$35,000
120	Marietta Voglis a married woman dealing with her sole & separate property	\$25,000
121	Frank Weinman Trustee of the Weinman Family Trust dated 9/6/96	\$150,000
122	Rachel Wheeler Trustee of the Rachel Wheeler Trust	\$25,000
123	Work Holdings Inc. an Arizona corporation	\$100,000
124	Dwight J. Yoder & Nancy E. Yoder Trustees of the Yoder Family Trust dated 10/25/00	\$50,000
125	Ernie C. Young Trustee of The Ernie C. Young Living Trust dated 9/23/96	\$147,000
126	Spectrum Capital LLC a California limited liability company	\$50,000
127	Shahriar Zavosh an unmarried man	\$50,000
128	USA Commercial Mortgage Company	\$2,900,000
TOTAL		\$12,900,000

**EXHIBIT "B"****DISBURSEMENT SCHEDULE**

All advances after the closing are subject to Section 3.2 of the Loan Agreement. Month "X" means "X" months after closing.

<u>MONTH</u>	<u>TOTAL</u>	<u>INTEREST PORTION OF TOTAL</u>
Close	\$10,000,000*	\$ 500,000
Month 4	\$ 473,800	\$ 473,800
Month 8	\$ 563,000	\$ 563,000
Month 12	\$ 592,000	\$ 592,000
Month 16	\$ 624,000	\$ 624,000
Month 20	<u>\$ 647,200</u>	<u>\$ 647,200</u>
Total	\$12,900,000	\$3,400,000

\*Includes \$8,000,000 to purchase the Property, Lender and broker fees and closing costs.

All draws subject to the additional requirements and continued obligations under the Loan Agreement.

**EXHIBIT "C"**

**PERMITTED EXCEPTIONS**



**EXHIBIT "D"**

**DESCRIPTION OF REAL PROPERTY**



PROPERTY DESCRIPTION

GF#200409096 -

Commitment No. 44-905-80-

200409096

4. Legal description of the land:

Being 893.49 acres of land comprising approximate acreage out of various Original Paten Surveys in Kendall County, Texas as follows:

- Survey No. 1, B.S. & F., Abstract 77 (253.35 acres)
- Survey No. 43, Patrick O'Donnell Survey, Abstract 372 (70.61 acres)
- Survey No. 233, G.B. & C.N.G.R.R. Co., Abstract 715 (395.51 Acres)
- Survey No. 305, William Fullager Survey, Abstract 772 (5.76 acres)
- Survey No. 437, Henry Clark Survey, Abstract 122 (120.62 acres)
- Survey No. 731, Jacob Remick Survey, Abstract 404 (0.25 acres)
- Survey No. 790, John Stephenson Survey, Abstract 735 (0.16 acres)
- Survey 869, John H. Gibson Survey, Abstract 215 (47.23 Acres)

being part of 1) 397.32 acres conveyed to Willis Jay Harpole from Edward H. Knowlton, et us, by Warranty Deed executed the 23rd day of September, 1996 and recorded in Volume 494 at Page 143; 2) part of 242.56 acres conveyed to Willis Jay Harpole from Edward H. Knowlton, et us, by Warranty Deed executed the 4th day of March, 1997 and recorded in Volume 509 at Page 10; and 3) part of 200.51 and all of 205.09 acres conveyed to W. Jay Harpole from The United States of America by a United States Internal Revenue Service Deed dated November 20, 2000 and recorded in Volume 658, at Page 200, all deeds recorded in Volume 658 at Page 200, all deeds recorded in the Official Pyblic Records of Kendall County, Texas; and being more particularly described by metes and bounds as follows (record calls shown in parenthese):

BEGINNING at a 1/2" iron stake found at a fence corner post for a reentrant corner of the herein described tract, the northwesterly common corner of said 200.51 acres and said 205.09 acres, the southeast corner of Lot No. 46 in Block No.3 of Tapatio Springs Unit No. 17, the plat of which is recorded in Volume 4 at Page 190 of the Plat Records of Kendall County, Texas; which point

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## LEGAL DESCRIPTION

is at or near the southeast corner of Manuel Alqueseba Survey No.2, Abstract No 990, a reentrant corner of said Survey No. 233;

THENCE, along a fence with the common line between said 205.85 acres and said Lot No. 46, N.00° 35'41 "W. 369.54 ft. (N.00° 48'41"W. 369.47 ft.) to a 1/2" iron stake found at the northeast corner of said Lot No. 46, a southeasterly corner of the remainder of 1164.587 acres conveyed to Tapatio Springs Development Company, Inc. from Tapatio Springs Golf Resort, Inc. by an Assumption Warranty Deed with Vendor's Lien executed the 11th day of September, 1991 and recorded in Volume 359 at Page 323 of the Official Public Records of Kendall County, Texas;

THENCE, along a fence with the common line between said 205.85 acres and said 1164.587 acres: N.00° 36'33"W. 932.28 ft. (N.00° 48'41 "W. 932.88 ft.) to a post with a 60 "d" nail found at its base; N.00° 23'01 "E. 221.62 ft. (N.00° 04'20"E. 221.2 ft.) to a 1/2" iron stake found at a corner post at the northwest corner of said 205.85 acres, a reentrant corner of said 1164.587 acres; S.86°07'47"E. 734.52 ft. (S.86°30'E. 735.1 ft.) to a post marked with a 1/2" iron stake found at its base; and S.86°41'52"E. 114.02 ft. (S.86°49'E. 114.0 ft.) to a three-way corner post marked with a 1/2" iron stake found at its base at the southwest corner of said 397.32 acres, a southeasterly corner of said 1164.587 acres;

THENCE, along a fence, unless specified otherwise, with the common line between said 397.32 acres and said 1164.587 acres: N.15°00'06"W. 519.03 ft. (N.15°16'21 "W. 519.66 ft.) to a found 1/2" iron stake; N.17°45'11 "W. 47.76 ft. (N.18°20'39"W. 47.94 ft.) to a found 1/2" iron stake; N.22°09'53"W. 188.22 ft. (N.22°19'38"W. 188.25 ft.) to an angle post; N.63°51'33"W. 346.58 ft. (N.64°04'15"W. 346.44 ft.) to an angle post; and N.07°22'19"W., east of and diverging from a fence, 659.43 ft. to a 1/2" iron stake set in a fence 4.9 ft. S.63°50'33"E. from a three-way corner post, for a northwesterly corner of the herein described tract;

THENCE, along a fence, upon, over and across said 397.32 acres, each point marked with an angle post: S.64°15'40"E. 139.02 ft.; S.68°04'08"E. 20.11 ft.; S.72°25'29"E. 187.61 ft.; S.76°31'57"E. 12.02 ft.; S.81°44'40"E. 52.11 ft.; S.87°17'40"E. 20.15 ft.; S.89°38'57"E. 19.76 ft.; N.87°36'20"E. 20.11 ft.; N.83°20'16"E. 222.70 ft.; and N.59°40'20"E. 19.75 ft.;

THENCE, continuing upon, over and across said 397.32 acres, each point marked with a set 1/2" iron stake: N.67°31'17"E. 467.53 ft.; N.53°56'11"E. 80.82 ft.; N.26°20'14"W. 194.01 ft.; N.25°39'48"W. 119.83 ft.; N.43°03'18"W. 181.74 ft.; N.17°33'32"W. 175.31 ft.; N.13°20'53"W. 191.09 ft.; N.00 32'10"E. 128.99 ft.; N.50 09'56"E. 102.12 ft.; N.67°50'32"E. 125.41 ft.; N.73°57'32"E. 170.23 ft.; N.34°49'45"E. 65.76 ft.; N.58°22'40"E. 92.87 ft.; N.78°39'18"E. 125.20 ft.; N.76°25'42"E. 143.53 ft.; N.53°16'37"E. 156.62 ft.; N.69°17'00"E. 154.57 ft.; N.74°29'59"E. 100.14 ft.; S.42°26'11 "E. 95.82 ft.; S.50 50'12"E. 120.35 ft.; N.82°35'54"E. 87.33 ft.; N.46°39'28"E. 178.90 ft.; N.38°49'55"W. 24.43 ft.; N.29°39'02"E. 110.30 ft.; N.12°01'10"W. 174.91 ft.; and N.29°08'22"W. 148.14 ft. to a 1/2" iron stake set in a fence along the common line between said 397.32 acres and 19.08 acres conveyed to Garry Duane Gombert from Selma Gombert, et al, by a deed executed the 26th day of September, 1996 and recorded in Volume 494 at Page 513 of the Official Public Records of Kendall County, Texas;

THENCE, along or near a fence with the common line between said 397.32 acres and said

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## LEGAL DESCRIPTION

19.08 acres: N.00°22'18"W. (N.00°36'59"W.) 575.55 ft. to an angle postmarked with a found 1/2" iron stake; N.00°33'09"E. 179.16 ft. (N.00°09'55"E. 179.29 ft.) to a found 1/2" iron stake; and N.00°34'56"W. 193.43 ft. (N.00°41'45"W. 193.22 ft.) to a three-way corner post at the northeast corner of said 19.08 acres, the southerly southeast corner of 53.165 acres conveyed to Robert Gombert, et al, from Selma Gombert, et vir, by a deed executed the 8th day of January, 1987 and recorded in Volume 276 at Page 162 of the Official Public Records of Kendall County, Texas;

THENCE, along a fence with the common line between said 397.32 acres and said 53.165 acres: N.00°15'16"E. 1278.76 ft. (N.00°01'18"W. 1278.64 ft.) to a 5/8" iron stake found at a three-way corner post for the northerly northwest corner of the herein described tract and said 397.32 acres, a reentrant corner of said 53.165 acres; and S.89°03'28"E. 1035.39 ft. (S.89°25'26"E. 1035.06 ft.) to a three-way corner post at the southwest corner of 1.010 acres conveyed to Robert J. Gombert, et ux, from Julius Gombert, et ux, by a Warranty Deed executed the 25th day of July, 1963 and recorded in Volume 85 at Page 535 of the Deed Records of Kendall County, Texas;

THENCE, along a fence with the common line between said 397.32 acres and said 1.010 acres, S.89°42'21"E. 220.09 ft. (East 220.0 ft.) to a three-way corner post at the southeast corner of said 1.010 acres, a southwesterly corner of said 53.165 acres;

THENCE, along a fence with the common line between said 397.32 acres and said 53.165 acres: S.89°19'29"E. 448.75 ft. (S.89°41'29"E. 448.41 ft.) to a corner post marked with a found 1/2" iron stake for a reentrant corner of the herein described tract and said 397.32 acres, the easterly southeast corner of said 53.165 acres; and N.00°54'08"E. 24.07 ft. (N.00°23'00"E. 24.36 ft.) to a three-way corner post marked with a found 3/8" iron stake in the south right-of-way line of Johns Road, a public road;

THENCE, along or near a fence with the north line of said 397.32 acres, the south right-of-way line of Johns Road: S.87°27'26"E. 381.33 ft. (S.87°46'44"E. 382.77 ft.) to an angle post; N.71°06'18"E. 273.91 ft. (N.70°51'53"E. 272.46 ft.) to an angle post; N.60°54'33"E. 159.14 ft. (N.60°38'54"E. 157.19 ft.) to a 1/2" iron stake set at the beginning of a 52°20'01" curve concave to the south having a radius of 109.49 ft. (110.43 ft.); 92.64 ft. (94.53 ft.) with an arc of said 52°20'01" curve subtended by a central angle of 48°28'40" (49°02'41") to an angle post marked with a found 1/2" iron stake at its end; and S.70°36'47"E. 365.55 ft. (S.70°52'26"E. 365.00 ft.) to an angle post marked with a found 1/2" iron stake at the northeast corner of said 397.32 acres, the northwest corner of said 242.56 acres;

THENCE, along or near a fence with the north line of said 242.56 acres, the south right-of-way line of said Johns Road: N.87°36'23"E. 280.00 ft. (N.87°24'28"E. 279.97 ft.) to an angle post marked with a found 1/2" iron stake; and N.73°49'34"E. 182.19 ft. (N.73°41'05"E. 182.18 ft.) to a corner post for the northerly northeast corner of the herein described tract and said 242.56 acres, the northwest corner of 55.37 acres conveyed to Vernon L. Schaub from James L. Bower, et ux, by a Warranty Deed with Vendor's Lien executed the 20th day of August, 1962 and recorded in Volume 84 at Page 257 of the Deed Records of Kendall County, Texas;

THENCE, along a fence with the common line between said 242.56 acres and said 55.37 acres, S.21°05'56"E. 328.70 ft. (S.21°34'52"E. 329.39 ft.) to an angle post at the northwest corner of 1.206 acres conveyed to The City of Boerne, Texas from Vernon L.

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## LEGAL DESCRIPTION

Schaub, et ux, by a Cash Warranty Deed executed the 6th day of March, 1974 and recorded in Volume 115 at Page 56 of the Deed Records of Kendall County, Texas;

THENCE, with the common line between said 242.56 acres and said 1.206 acres: S.21°21'31"E. 240.37 ft. (S.22°52'E. 240.0 ft.) to a 1/2" iron stake found at the southwest corner of said 1.206 acres; and S.79°49'42"E. 263.48 ft. (S.81°11'E. 265.0 ft.) to a fence angle post at the southeast corner of said 1.206 acres, a southwesterly corner of said 55.37 acres;

THENCE, along a fence with the common line between said 242.56 acres and said 55.37 acres: S.79°46'16"E. 168.77 ft. (S.80°04'47"E. 167.08 ft.) to a three-way corner post for a reentrant corner of said 55.37 acres; S.00°32'58"E. 743.35 ft. (S.00°51'39"E. 744.50 ft.) to a three-way corner post for a reentrant corner of the herein described tract and said 242.56 acres, the southerly southwest corner of said 55.37 acres; and S.89°22'28"E. 736.02 ft. (S.89°42'47"E. 735.32 ft.) to a corner post for the easterly northeast corner of the herein described tract and said 242.56 acres, the northwest corner of 76.007 acres conveyed to E. Douglas Brittain, et ux, from GRI Waterworks, Inc. by a Warranty Deed executed the 23rd day of March, 1990 and recorded in Volume 328 at Page 457 of the Official Public Records of Kendall County, Texas;

THENCE, along a fence with the common line between said 242.56 acres and said 76.007 acres, S.00°13'56"W. 893.59 ft. (South 893.46 ft.) to a 1/2" iron stake found at a three-way corner post for the easterly southeast corner of the herein described tract, the northeast corner of 76.30 acres conveyed to Stephen R. and Vicki L. Schmidt Revocable Trust from Willis Jay Harpole by a Warranty Deed with Vendor's Lien executed the 28th day of April, 2000 and recorded in Volume 635 at Page 857 of the Official Public Records of Kendall County, Texas;

THENCE, along or near a fence with the north and west lines of said 76.30 acres, upon, over and across said 242.56 acres, each point marked with a found 1/2" iron stake near an angle post unless stated otherwise: N.65°57'41"W. 982.43 ft. (N.66°12'21"W. 981.65 ft.); N.37°35'22"W. 175.29 ft. (N.37°49'14"W. 175.30 ft.) to a set 1/2" iron stake; N.81°34'46"W. 56.75 ft. (N.81°48'40"W. 56.75 ft.); S.70°33'48"W. 125.45 ft. (S.70°23'55"W. 125.69 ft.); N.51°35'13"W. 148.35 ft. (N.51°49'53"W. 147.94 ft.); N.24°49'28"W. 58.37 ft. (N.25°05'19"W. 58.41 ft.); N.71°44'10"W. 73.55 ft. (N.72°02'25"W. 73.46 ft.) to the northwest corner of said 76.30 acres, a reentrant corner of the herein described tract; S.15°55'24"W. 1536.69 ft. (S.15°39'38"W. 1536.54 ft.) to a set 1/2" iron stake; S.58°11'01"E. 85.14 ft. (S.58°26'46"E. 85.13 ft.); and S.42°32'24"E. 1294.41 ft. (S.42°47'47"E. 1294.14 ft.) to a 1/2" iron stake found in the southwest line of 10.03 acres conveyed to Stephen R. and Vicki L. Schmidt Revocable Trust from Willis Jay Harpole by a Warranty Deed with Vendor's Lien executed the 28th day of April, 2000 and recorded in Volume 635 at Page 852 of the Official Public Records of Kendall County, Texas;

THENCE, along or near a fence with the southwest line of said 10.03 acres, continuing upon, over and across said 242.56 acres: S.38°56'44"E. 41.50 ft. (S.39°23'36"E. 41.59 ft.) to a found 1/2" iron stake; and S.36°29'21"E. 86.64 ft. (S.36°43'12"E. 86.67 ft.) to a 1/2" iron stake found for the southwest corner of said 10.03 acres, a northwesterly corner of said 76.30 acres;

THENCE, along a fence with the west line of said 76.30 acres, continuing upon, over

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and across said 242.56 acres, S.11°59'25"E. 785.17 ft. (S.12°14'59"E. 785.66 ft.) to a 1/2" iron stake found at the southwest corner of said 76.30 acres in the southeast line of said 242.56 acres, the northwest right-of-way line of State Highway No. 46, in a 05°46'47" curve concave to the southeast having a radius of 991.39 ft. (994.93 ft.);

THENCE, along or near a fence with the southeast line of said 242.56 acres, the northwest right-of-way line of said State Highway No. 46: 520.73 ft. with an arc of said 05°46'47" curve subtended by a central angle of 30°05'41" to a 1/2" iron stake found at its end; and S.43°35'08"W. 7.67 ft. (S.38°29'01" W. 7.82 ft.) to an unmarked point on a concrete slab at the most southerly corner of said 242.56 acres, the southeast corner of 150.354 acres conveyed to Lee Roy Hahnfeld, et ux, from Willis Jay Harpole by a Warranty Deed executed the 9th day of January, 1997 and recorded in Volume 504 at Page 609 of the Official Public Records of Kendall County, Texas, from which a "P-K" nail found for reference bears 0.69 ft. S.46°03'41" E.;

THENCE, along a fence with the common line between said 242.56 acres and said 150.354 acres: N.46°03'41" W. 292.91 ft. (N.46°20'29"W. 293.85 ft.) to a 60 "d" nail found at an angle post; N.00°12'35"E. 758.22 ft. (N.00°02'36"W. 758.14 ft.) to a "P-K" nail found at a corner post at the northeast corner of said 150.354 acres for a reentrant corner of the herein described tract and said 242.56 acres; N.89°35'59"W. 1015.47 ft. (N.89°52'20"W. 1015.62 ft.) to a found 1/2" iron stake; and N.89°05'25"W. 322.18 ft. (N.89°22'09"W. 321.97 ft.) to a 1/2" iron stake found at the southerly common corner of said 242.56 acres and said 397.32 acres;

THENCE, along a fence with the common line between said 397.32 acres and said 150.354 acres: N.89°04'50"W. 315.91 ft. (N.89°22'09"W. 315.76 ft.) to an angle post; N.89°32'11" W. 1057.85 ft. (N.89°48'03"W. 1 057.90 ft.) to a 1/2" iron stake found at a corner post at the northwest corner of said 150.354 acres for a reentrant corner of the herein described tract and said 397.32 acres; and S.00°51'38"W. (S.00°35'27"W.) 1032.38 ft. to a 1/2" iron stake found at the northwest corner of 12.571 acres conveyed to William R. Wood, et ux, from Lee Roy Hahnfeld, et ux, by a Special Warranty Deed dated the 7th day of January, 2000 and recorded in Volume 625 at Page 559 of the Official Public Records of Kendall County, Texas;

THENCE, along a fence with the common line between said 397.32 acres and said 12.571 acres, S.00°54'59"W. 550.27 ft. (S.00°35'27"W. 550.00 ft.) to a three-way corner post at the southerly southeast corner of said 397.32 acres, the northeast corner of said 205.85 acres;

THENCE, along a fence with the common line between said 205.85 acres and said 12.571 acres, S.00°41'43"E. 1331.10 ft. (S.01°01'40"E. 1331.4 ft.) to a 1/2" iron stake found for the southwest corner of said 12.571 acres, the northwest corner of 330.28 acres conveyed to Patricia J Webster from Winifred Jordt by a Warranty Deed executed the 25th day of July, 1990 and recorded in Volume 333 at Page 439 of the Official Public Records of Kendall County, Texas;

THENCE, along a fence with the common line between said 205.85 acres and said 330.28 acres, S.00°40'43"E. 356.38 ft. (S.01°01'40"E. 356.4 ft.) to a 1/2" iron stake found at a three-way corner post in the northwest right-of-way line of said State Highway No. 46 in a 07°34'49" curve concave to the southeast having a radius of 755.90 ft. (756.8 ft.);

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THENCE, along or near a fence with the southeast line of said 205.85 acres and said 200.51 acres, the northwest right-of-way line of said State Highway No. 46: 378.15 ft. (378.2 ft.) with an arc of said  $07^{\circ}34'49''$  curve subtended by a central angle of  $28^{\circ}39'48''$  to a concrete right-of-way marker found at its end; S.  $00^{\circ}12'28''$ W. 449.17 ft. (S.  $00^{\circ}06'30''$ E. 449.00 ft.) to a concrete right-of-way marker found at the beginning of a  $04^{\circ}05'47''$  curve concave to the northwest having a radius of 1398.80 ft. (1392.7 ft.); 287.03 ft. (287.2 ft.) with an arc of said  $04^{\circ}05'47''$  curve subtended by a central angle of  $11^{\circ}45'25''$  to a  $1/2''$  iron stake found at its end; S.  $11^{\circ}57'53''$ W., at 183.30 ft. passing a W' iron stake found for reference, then continuing for a total distance of 186.14 ft. (S.  $11^{\circ}40'$ W. 183.5 ft.) to an unmarked point at the beginning of  $08^{\circ}30'09''$  curve concave to the northwest having a radius of 673.91 ft. (676.8 ft.); 834.98 ft. (837.2 ft.) with an arc of said  $08^{\circ}30'09''$  curve subtended by a central angle of  $70^{\circ}59'24''$  to a concrete right-of-way marker found at its end; S.  $82^{\circ}57'17''$ W. 181.95 ft. (S.  $82^{\circ}38'$ W. 182.0 ft.) to a concrete right-of-way marker found at the beginning of a  $05^{\circ}47'30''$  curve concave to the southeast having a radius of 989.34 ft. (995.4 ft.); 498.78 ft. (499.3 ft.) with an arc of said  $05^{\circ}47'30''$  curve subtended by a central angle of  $28^{\circ}53'09''$  to a concrete right-of-way marker found at its end; and S.  $54^{\circ}04'09''$ W. 477.11 ft. (S.  $53^{\circ}43'$ W. 477.11 ft.) to a  $1/2''$  iron stake set near a corner post at the most easterly corner of 4.00 acres conveyed to Susan Ford, Trustee from W. Jay Harpole by a Warranty Deed Reserving Right of First Refusal executed the 22nd day of November, 2000 and recorded in Volume 658 at Page 205 of the Official Public Records of Kendall County, Texas;

THENCE, upon, over and across said 200.51 acres: with the northeast line of said 4.00 acres, N.  $35^{\circ}34'20''$ W., southwest of and diverging from a fence, at approximately 493.9 ft. crossing a fence, then continuing for a total distance of 505.59 ft. (N.  $35^{\circ}55'29''$ W. 505.59 ft.) to a  $1/2''$  iron stake set for a reentrant corner of the herein described tract, the most northerly corner of said 4.00 acres; S.  $54^{\circ}04'09''$ W., northwest of and generally parallel with a fence, 227.88 ft. (S.  $53^{\circ}43'00''$ W. 227.88 ft.) to a  $1/2''$  iron stake set at the northwest corner of said 4.00 acres; S.  $10^{\circ}01'31''$ E., west of and converging with a fence, at approximately 268.4 ft. crossing said fence, then continuing for a total distance of 410.60 ft. (S.  $10^{\circ}27'21''$ E. 410.08 ft.) to a found  $1/2''$  iron stake; and S.  $21^{\circ}17'30''$ E., east of and converging with a fence 140.81 ft. (S.  $21^{\circ}22'45''$ E. 141.21 ft.) to a  $1/2''$  iron stake set near a corner post for the most southerly corner of said 4.00 acres in the southeast line of said 200.51 acres, the northwest right-of-way line of said State Highway No. 46;

THENCE, along or near a fence with the southeast line of said 200.51 acres, the northwest right-of-way line of said State Highway No. 46: S.  $54^{\circ}04'09''$ W. (S.  $53^{\circ}43'$ W.) 40.10 ft. to a  $1/2''$  iron stake set at the beginning of a  $04^{\circ}00'31''$  curve concave to the northwest having a radius of 1429.42 ft. (1392.7 ft.); 389.57 ft. (388 ft.) with an arc of said  $04^{\circ}00'31''$  curve subtended by a central angle of  $15^{\circ}36'55''$  to a concrete right-of-way marker found at its end; and S.  $69^{\circ}41'04''$ W. 718.70 ft. (S.  $69^{\circ}21'$ W. 718.5 ft.) to a  $1/2''$  iron stake found near a three-way corner post for the most southerly corner of the herein described tract and said 200.51 acres, the most easterly corner of Lot No. 24 of Indian Springs Subdivision, the plat of which is recorded in Volume 3 at Page 100 of the Plat Records of Kendall County, Texas;

THENCE, along a fence with the common line between said 200.51 acres and said Indian Springs Subdivision: with the northeast line of said Lot No. 24, N.  $45^{\circ}19'48''$ W. 330.84

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ft. (N.45°38'17"W. 331.06 ft.) to a 1/2" iron stake found at the north corner of said Lot No. 24, the southeast corner of Lot No. 22; with the northeast line of said Lot No. 22, N.45°19'36"W. 626.67 ft. (N.45°38'17"W. 626.55 ft.) to a 1/2" iron stake found at the north corner of said Lot No. 22, the east corner of Lot No. 21; N.45°21'45"W. 632.96 ft. (N.45°38'17"W. 633.00 ft.) to a 1/2" iron stake found at the north corner of said Lot No. 21, the east corner of Lot No. 20; with the northeast line of said Lot No. 20, N.45°16'26"W. 324.59 ft. (N.45°38'17"W. 324.59 ft.) to a found Is" iron stake and N.45°16'13"W. 303.31 ft. (N.45°31'01"W. 303.30 ft.) to a 1/2" iron stake found at the north corner of said Lot No. 20, the east corner of Lot No. 19; with the northeast line of said Lot No. 19, N.45°15'53"W. 794.84 ft. (N.45°31'01"W. 795.52 ft.) to a 1/2" iron stake found at the north corner of said Lot No. 19, in the northeast right-of-way line of a sixty (60) ft. wide road known as Chinkapin Pass; and with the northeast right-of-way line of said Chinkapin Pass, N.45°17'03"W. 353.46 ft. (N.45°31'01"W. 353.08 ft.) to a 1/2" iron stake found for the most easterly corner of the remainder of 209.845 acres conveyed to Chapman Investments, LLC from Betty S. Kelso by a Special Warranty Deed executed the 2nd day of May, 1998 and recorded in Volume 554 at Page 246 of the Official Public Records of Kendall County, Texas;

THENCE, along a fence with the common line between said 200.51 acres and said 209.845 acres, N.45°17'28"W. 1286.32 ft. (N.45°35'30"W. 1286.01 ft.) to a three-way corner post with a 1/2" iron stake found at its base for the most westerly corner of the herein described tract and said 200.51 acres, the northeast corner of said 209.845 acres, in the south line of the remainder of said 1164.587 acres ;

THENCE, along a fence with the common line between said 200.51 ,acres and said 1164.587 acres, S.89°28'06"E. 2245.67 ft. (S.89°39'14"E. 2245.74 ft.) to a 1/2" iron stake found at the southwest corner of Lot No. 25 in Block No.2 of said Tapatio Springs Unit No. 17;

THENCE, along a fence with the common line between said 200.51 acres and said Tapatio Springs Unit No. 17: with the south line of said Lot No. 25, S.89°27'34"E. 280.71 ft. (S.89°39'14"E. 280.66 ft.) to a 1/2" iron stake found at the southeast corner of said Lot No. 25, the southwest corner of Lot No. 47 in Block No.3; with the south line of said Lot No. 47, S.89°29'55"E. 165.13 ft. (S.89°39'14"E. 165.15 ft.) to a 1/2" iron stake found at the southeast corner of said Lot No. 47, the southwest corner of Lot No. 46; and with the south line of said Lot No. 46, S.89°27'38"E. 582.15 ft. (S.89°39'14"E. 582.19 ft.) to the PLACE OF BEGINNING containing 893.49 acres of land, more or less, within these mates and bounds, SAVE AND EXCEPT 26.95 acres as described in Exhibit "A" attached hereto and made a part hereof:

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## EXHIBIT "A"

FIELD NOTES DESCRIPTION FOR 26.95 ACRES OF THE  
JAY HARPOLE LAND IN KENDALL COUNTY, TEXAS

Being all of a certain tract or parcel of land comprising approximate acreage out of various Original Patent Surveys in Kendall County, Texas as follows:

Survey No.	Survey	Abstract No	Acres
1	B. S. & F.	77	14.25
43	Patrick O'Donnell	372	12.70

being part of 1) 397.32 acres conveyed to Willis Jay Harpole from Edward H. Knowlton, et ux, by a Warranty Deed executed the 23<sup>rd</sup> day of September, 1996 and recorded in Volume 494 at Page 143, and 2) 242.56 acres conveyed to Willis Jay Harpole from Edward H. Knowlton, et ux, by a Warranty Deed executed the 4<sup>th</sup> day of March, 1997 and recorded in Volume 509 at Page 10, both deeds recorded in the Official Public Records of Kendall County, Texas; and being more particularly described by metes and bounds as follows (record calls shown in parentheses):

BEGINNING at a ½" iron stake found in a fence for the southeast corner of the herein described tract, the southerly common corner of said 397.32 acres and said 242.56 acres, in the north line of 150.354 acres conveyed to Lee Roy Hahnfeld, et ux, from Willis Jay Harpole by a Warranty Deed executed the 9<sup>th</sup> day of January, 1997 and recorded in Volume 504 at Page 609 of the Official Public Records of Kendall County, Texas; which point bears 1015.47 ft. N.89°35'59"W. and 322.18 ft. N.89°05'25"W. from a "P-K" nail found at a fence cornerpost at the northeast corner of said 150.354 acres for a reentrant corner of said 242.56 acres, at or near the northeast corner of Jacob Remick Survey No. 731, Abstract No. 404, a reentrant corner of said Survey No. 1;

THENCE, along a fence with the common line between said 397.32 acres and said 150.354 acres: N.89°04'50"W. 315.91 ft. (N.89°22'09"W. 315.76 ft.) to an anglepost; and N.89°32'11"W. (N.89°48'03"W.) 105.59 ft. to a ½" iron stake set for the southwest corner of the herein described tract;

THENCE, upon, over and across said 397.32 acres and said 242.56 acres: N.07°27'40"E., crossing the common line between said 397.32 acres and said 242.56 acres, 1069.73 ft. to a set ½" iron stake; and N.19°28'02"E., at 255.78 ft. passing a ½" iron stake set for reference near the southerly bank of a lake, then continuing for a total distance of 345.78 ft. to an unmarked point in said lake for the northwest corner of the herein described tract;

THENCE, upon, over and across said 242.56 acres, each point unmarked and in the lake but referenced with a ½" iron stake set on the bank of said lake, reference calls to said stakes in brackets: S.61°31'59"E. 189.61 ft. [S.21°24'37"W. 90.00 ft.]; S.75°11'41"E. 139.22 ft. [S.01°45'10"W. 90.00 ft.]; N.79°13'39"E. 152.42 ft. [S.22°44'43"E. 90.00 ft.]; N.54°01'48"E. 67.79 ft. [S.41°10'11"E. 90.00 ft.]; N.42°25'56"E. 234.18 ft. [S.53°55'35"E. 90.00 ft.]; N.31°26'07"E. 219.84 ft. [S.37°16'48"E. 90.00 ft.]; N.72°08'20"E. 60.18 ft.; and S.74°05'11"E., at 85.00 ft. passing a ½" iron stake set on the bank for reference, then continuing for a total distance of 278.31 ft. to a ½" iron stake set for the northeast corner of the herein described tract in a fence along west line of 76.30 acres conveyed to Stephen R. and Vicki L. Schmidt Revocable Trust from Willis Jay Harpole by a Warranty Deed with Vendor's Lien executed the 28<sup>th</sup> day of April, 2000 and recorded in Volume 635 at Page 857 of the Official Public Records of Kendall County, Texas;

THENCE, along a fence with west line of said 76.30 acres, continuing upon, over and across said 242.56 acres, S.15°55'24"W. (S.15°39'38"W.) 487.82 ft. to a ½" iron stake set for the most westerly corner of said 242.56 acres;

THENCE, continuing upon, over and across said 242.56 acres, S.34°28'33"W. 1417.36 ft. to the PLACE OF BEGINNING containing 26.95 acres of land, more or less, within these metes and bounds.

Page 2 -- 26.95 Acres of the Jay Harpole land in  
Kendall County, Texas

I hereby certify that these field notes and accompanying plat are accurate descriptions of the property contained therein as determined by a survey made on the ground under my direction and supervision, and that all property corners are marked as stated. (Bearing basis = True north based on GPS observations)

Dates surveyed: April 30 - May 6, 2004; October 5, 2004  
September 9, 2005

Dated this 13<sup>th</sup> day of October, 2005

*Don W. Voelkel*

Don W. Voelkel  
Registered Professional Land Surveyor No. 3990

